

Abstract

This thesis titled "Notarial deed with declaration of enforceability" deals with the specific type of notarial deed, which is also enforceable title for enforcement procedure. It is a special type of notarial deed, whose tradition dates back to the 19th century.

The aim of this work is to describe notarial deed with declaration of enforceability from the perspective of civil proceedings because it is the legal instrument, which for its flexibility, can in practice, replace Court Judgments.

This thesis is divided into five chapters. The first chapter contains a brief historical development of notarial deeds with declaration of enforceability since its adoption into legal system in 1871 to the present.

The second chapter deals with notarial deeds as authentic instruments, as well as notarial deeds on legal acts and then by each type of notarial deed with declaration of enforceability, including notarial deed as European Enforcement Order and relationship between the notarial deed with declaration of enforceability and civil adversarial proceedings.

The third chapter focuses on notarial deed with declaration of enforceability as title for enforcement procedure and subsequently reviews of a notarial deed within enforcement procedure.

The fourth chapter of thesis deals with notaries' responsibility for damages related to notarial deed with declaration of enforceability caused to parties of this notarial deed. Marginally also deals with disciplinary liability of notary and his other employees, in relation to drawing up notarial deed with declaration of enforceability.

The fifth chapter contains a comparison of notarial deeds with a declaration of enforceability in the Czech, Slovak and Austrian law.

End of my thesis contains summary of findings. While elaborating this work, I have used legislation, commentaries of legislation, books and articles written by legal experts. As an important source, however, served judicial decisions, particularly the decisions of the

Supreme Court because notarial deed with declaration of enforceability is constantly evolving and one of the sources of this development are the Supreme Court decisions.